

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION

In re:)	
)	
RICHARD ALAN JUERGENS,)	Case No. 12-21841
Debtor,)	
)	
)	
JOHN C. REED, TRUSTEE)	
Plaintiff,)	
)	
v.)	Adversary No. 13-02028
)	
Richard Alan Juergens; and)	
Richard Alan Juergens, Co-Trustee of the Richard)	
Alan Juergens Irrevocable Trust dated)	
February 19, 2010; and Jessica Anne Juergens,)	
Co-Trustee of the Richard Alan Juergens Irrevocable)	
Trust February 19, 2010,)	
)	
Defendants.)	

CONSENT JUDGMENT/ STIPULATION

COME NOW John C. Reed, Trustee, Plaintiff and Richard Alan Juergens;
Richard Alan Juergens, Co-Trustee of the Richard Alan Juergens Irrevocable Trust dated
February 19, 2010; and Jessica Anne (Juergens) Thiele, Co-Trustee of the Richard Alan
Juergens Irrevocable Trust February 19, 2010, Defendants herein, and state the following:

1. This adversary matter was filed on August 2, 2013. A trial is scheduled for August 21, 2014. The parties have reached a settlement and are entering into this stipulation/ consent judgment.
2. Defendants Richard Alan Juergens; Richard Alan Juergens, Co-Trustee of the Richard Alan Juergens Irrevocable Trust dated February 19, 2010; and Jessica Anne (Juergens) Thiele, Co-Trustee of the Richard Alan Juergens Irrevocable Trust February 19, 2010 consent to entry of an Order that:

- A. Requires Debtor/ Defendant Richard Alan Juergens to sign a promissory note to the bankruptcy estate for \$25,000 plus a \$500 fee for expenses to keep the bankruptcy case open, and an interest rate on payments of 5%. The terms of this promissory note are that Debtor/ Defendant Richard Alan Juergens will make monthly payments to the Trustee of at least \$500, that he will make the first payment by August 31, 2014, that the payments will be due on the last day of the month. Assuming the timely payment of \$500 each month, the balloon payment will be approximately \$10,240.87. The loan will balloon/ come due after three (3) years, and that he will pay the unpaid balance to the Trustee by July 31, 2017. There is no prepayment penalty.
- B. If any payment on the note in paragraph 2.A is 10 or more days late, there will be a default. Trustee will send a written notice to Richard Alan Juergens at 4201 Clark Lane, Lot 30, Columbia, MO 65202 and to Syreeta L. McNeal, Attorney at Law, 3610 Buttonwood Drive, Suite 200, Columbia, MO 65201 by regular mail. If the default in payment is not cured within 10 days, Trustee may accelerate the loan and foreclose on the 21 acres in Howard County,
- C. In anticipation of Debtor/ Defendant Richard Juergens possibly not complying with the loan terms as described in Section 2.A. of this document above, the Debtor/ Defendant Richard Juergens and

Jessica Anne (Juergens) Thiele also enter into judgment in favor of Plaintiff, John C. Reed, Trustee on Count I of MO.Rev.Stat Sec. 428.024.1(2)(b) and Count II of MO.Rev.Stat Sec. 428.029.1.

D. As part of the voluntary consent judgment, the Court will avoid the transfer of the 21 acres in Howard County,¹ ("21 Acres in Howard County") to the Richard Alan Juergens Irrevocable Trust dated February 19, 2010. Since the Grantor of said transfer was Debtor's Revocable Trust, which is now terminated, the property reverts to the Debtor, free and clear of any interest of the Richard Alan Juergens Irrevocable Trust dated February 19, 2010, and is an asset of the Debtor's bankruptcy estate.

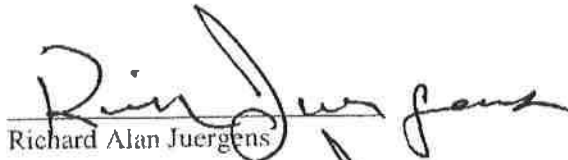
E. Also, as part of the voluntary consent judgment, defendants Richard Alan Juergens, Co-Trustee of the Richard Alan Juergens Irrevocable Trust dated February 19, 2010 and Jessica Anne (Juergens) Thiele, Co-Trustee of the Richard Alan Juergens Irrevocable Trust February 19, 2010 will sign a warranty deed conveying all rights, claims, and interests in the 21 acres in Howard County to Richard Alan Juergens, individually,

¹ Twenty (20) acres, more or less, the West Half of the Southeast Quarter of the Northeast Quarter of Section Twenty-eight (28); and one (1) acre, more or less, being that part of the Southwest Quarter of the Northwest Quarter of Section Twenty-Eight (28), being a triangular tract, lying North East of the Fayette and Sturgeon Road, which said road runs generally northwesterly and southwesterly; all in Township Fifty-One (51) North, Range Fourteen (14) West of the 5th p.m. in Howard County, Missouri.

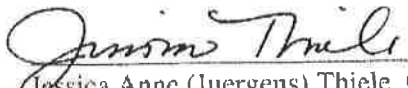
Subject to easements and restrictions of record.

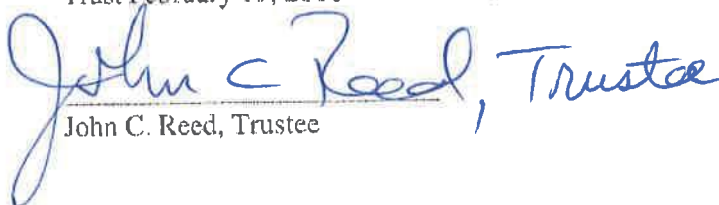
- F. As part of the voluntary consent judgment, Debtor/ Defendant Richard Alan Juergens will execute a first deed of trust on the 21 Acres in Howard County to secure payments on the above promissory note.
- G. If Debtor/ Defendant Richard Alan Juergens is able to successfully complete the loan term provisions as described in Section 2.A. of this document above, then Plaintiff John C. Reed, Trustee, will record a release of the first deed of trust on the 21 Acres in Howard County to secured payments on the promissory note and abandon any remaining interest in the 21 Acres in Howard County that is held by the bankruptcy estate.
3. Plaintiff, John C. Reed, Trustee will dismiss as to all defendants Count III of MO.Rev.Stat. Sec. 428.024.1(1) and Count IV of 11 U.S.C. Sec. 548(e)(1).
4. This settlement in this matter must be completed in conjunction with the settlement by Debtor/ Defendant Richard Alan Juergens in the separate adversary No. 14-02011. This settlement requires there be an executed consent judgment in adversary no. 13-02028 and an executed agreement in adversary no. 14-02011 and that agreed judgment orders be approved and entered by the Court in both adversary no. 13-02028 and adversary no. 14-02011.

Dated: July 22^d, 2014


Richard Alan Juergens


Richard Alan Juergens, Co-Trustee of the Richard Alan Juergens Irrevocable Trust dated February 19, 2010


Jessica Anne (Juergens) Thiele, Co-Trustee of the Richard Alan Juergens Irrevocable Trust February 19, 2010


John C. Reed, Trustee